

US serial No. 09/851,084
Applicant's docket No. Oddy 001

REMARKS/ARGUMENTS

Claims 1-6 and 27-33 are pending in the application.

Claims 2-33 have been cancelled and the cancellation is without prejudice or waiver.

Claims 1-6 and claims 28-33 stand rejected.

Claim 27 is objected to.

Claim 1 now includes the limitation of claim 27 and accordingly is allowable as per page 7 of the office action.

All other rejections of claims 1-6, 28 and 30-33 under 35 USC 112 first paragraph and objections raised by the Examiner has been rendered moot in view of the cancellation of those claims.

For the record, applicant stands by his earlier argument that:

"The ability to perform PCA in any cell type, be it bacterial or any eukaryotic cell (including plants) is determined only by whether DNA that encodes for proteins can be introduced into a cell and that under the control of a promoter that can be activated in that cell, the DNA is transcribed into RNA and the RNA translated into protein. This is true for all of the types of cells that applicants' have discussed in our prior applications, including plant cells, tissues and whole plants as described for the generation of transgenic plants with PCA reporters."

FROM :

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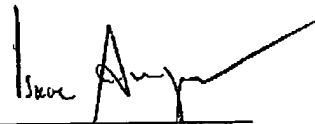
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In view of the above amendment and remarks, it is respectfully submitted that the claims are now in condition for allowance. Reconsideration and withdrawal of the rejections and objections are requested. The Examiner is invited to contact the undersigned at 703-418-2777 if he feels that further discussion may facilitate the resolution of any outstanding issues.

An early indication of a Notice of Allowance is earnestly solicited.

Respectfully submitted,



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Date: August 27, 2004
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